

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>SCOTT T. BEHLING,</b>	)	
<b>Plaintiff,</b>	)	
<b>vs.</b>	)	<b>No. 3:20-CV-3587-S-BH</b>
	)	
<b>ROBERT N. VIRDEN and</b>	)	
<b>VANESSA EDWARDS,</b>	)	
<b>Defendants.</b>	)	<b>Referred to U.S. Magistrate Judge<sup>1</sup></b>

**ORDER**

Before the Court is the plaintiff's *Motion of Dilatory Exception*, received on May 17, 2021 (doc. 24). He contends that he has made numerous attempts to have the filing fee withdrawn from his account, that his request must go through the mail room, and that there is a delay or obstruction in the mail room. He seeks to stay the case for 90 days to allow him an opportunity to pay the fee. The motion is liberally construed as a motion for an extension of time to pay the filing fee and is **GRANTED IN PART**. The plaintiff's deadline to pay the filing fee is extended by 30 days, until June 18, 2021. If he fails to pay the timely fee, this case will be subject to dismissal without prejudice as provided by Federal Rule of Civil Procedure 41(b). The findings, conclusions and recommendation that the case be dismissed, dated April 9, 2021 (doc. 21), are hereby **VACATED**.

**SO ORDERED this 19th day of May, 2021.**

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> By *Special Order No. 3-251*, this *pro se* prisoner case has been automatically referred for full case management.